

REMARKS

Claim 14 has been amended to overcome the rejection based upon 35 U.S.C. §112.

Claim 15 has been rejected as obvious over the admitted prior art of Figs. 3 and 4 in view of *Nyenbrink et al.* It is asserted that an artisan aware of such prior art would find it obvious from *Nyenbrink et al.* to provide the second end of the linkage 21 of the admitted prior art with a connection system as taught by *Nyenbrink et al.* so that the door can be opened without having to drive the motor.

Applicants submit that there is no obvious combination of such prior art that would result in the presently claimed invention. The artisan familiar with the *Nyenbrink et al.* door system and the admitted prior art door system would be taught from both such systems that the power opener is to be closed with the door, i.e., the power linkage and the door close together. Nowhere in either of those prior art systems is there suggested a system in which a power linkage should close independently of the door. That is not possible in either of the prior art systems in which the door and the closure linkage close together. It is thus not seen how an artisan would have found it obvious to modify the admitted prior art system in such a manner that there would result an arrangement in which the power linkage closes independently of the door (as recited in claim 15) when that feature is absent from both prior art systems. Applicants are not merely claiming a system in which a door can be opened independently of a power linkage, but are claiming a more specific structure, i.e., one in which the power linkage must be able to close independently of the door. Both prior art documents teach away from that feature.

Accordingly, it is submitted that claim 15 distinguishes patentably over the applied prior art and should be allowed.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: _____

By: _____

Alan E. Kopecki
Registration No. 25813

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620